

1 KEVIN V. RYAN (CSBN 118321)  
2 United States Attorney  
3 MARK L. KROTKO (CABN 138549)  
4 Chief, Criminal Division  
5 NAHLA RAJAN (CSBN 218838)  
6 Special Assistant United States Attorney  
7 450 Golden Gate Avenue, Box 36055  
8 San Francisco, California 94102-3495  
9 Telephone: (415) 436-6838  
10 Facsimile: (415) 436-7234  
11 Email: nahla.rajan@usdoj.gov

12 Attorneys for Plaintiff

13  
14  
15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES OF AMERICA,	)	No. 3:06-cr-00434-WHA
Plaintiff,	)	[PROPOSED] ORDER AND
v.	)	STIPULATION TO CONTINUE
JOSE TELLEZ-JACOBO,	)	ARRAIGNMENT / PRELIMINARY
Defendant.	)	HEARING

The parties stipulate and agree, and the Court finds and holds, as follows:

1. The parties initially appeared on the instant matter June 5, 2006 for defendant's initial appearance on the complaint. On June 8, 2006, the parties appeared in front of the Honorable Maria-Elena James for a detention hearing and the matter was continued for arraignment. The last day that the defendant could be arraigned without a waiver of time is June 19, 2006, however defense counsel was unavailable on that date, so the parties agreed to arraign the defendant on June 15, 2006.

2. Government counsel later discovered that there was no grand jury in session between

1 June 8 and June 15, 2006, and as a result, the Government cannot indict the defendant until the  
2 afternoon of June 15, 2006. The parties therefore stipulate to continue the arraignment to June  
3 16, 2006.

4 3. No waiver of time is necessary as pursuant to Rule 5.1, the defendant will be  
5 arraigned within ten court days of his initial appearance.

6 4. For the reasons stated, the arraignment of the defendant will be continued to June 16,  
7 2006.

8  
9 IT IS SO STIPULATED.

10  
11 DATED: 6/13/06

12 Respectfully Submitted,

13  
14  
15 NAHLA RAJAN  
16 Special Assistant United States Attorney

17 DATED: 6.13.06

18 RONALD TYLER  
19 Counsel for Jose Tellez-Jacobo

20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

21  
22 DATED: 6-13-06

23 HONORABLE MARIA-ELENA JAMES  
24 United States Magistrate Judge